

EXHIBIT 9

Hugh

From: Derek Haught <d_haught@yahoo.com>
Sent: Friday, August 13, 2021 3:33 PM
To: hugh@drilcooilgas.com
Subject: Fw: Fwd: DD Oil fracking
Attachments: VI-30 Cease Operations-Failure to Abate Fillable Form.pdf

FYI

----- Forwarded message -----

From: Rodeheaver, J Scott <j.scott.rodeheaver@wv.gov>
Date: Fri, Aug 13, 2021 at 2:02 PM
Subject: DD Oil fracking
To: James A Martin <james.a.martin@wv.gov>, Dye, Jeffrey O <jeffrey.o.dye@wv.gov>, Newlon, Douglas C <douglas.c.newlon@wv.gov>, Haught, Derek M <derek.m.haught@wv.gov>, Henry J Harmon <henry.j.harmon@wv.gov>

In discussion with Doug this morning, the next time DD Oil is fracking, OOG issues an NOV for fracking without a permit 22-6-6 and explains that the previously obtained permit is no longer valid.

Give them 7 days to obtain the permit. If they do not, issue a failure with a cease order that is a cease order based on the fact there is an unabated violation.

Is "drilling process" defined anywhere? Mr. Dale says his drilling process is ongoing and continuous and there has not been a stoppage of 7 months or more. It includes fracking.

Plus "Completion of the Drilling Process" mentions a drilling rig. I do not see where a drilling rig is defined. Mr. Dale testified that he has had a drilling rig on-site the entire time. Not only that, but he is constantly drilling bridge plugs etc. He even testified he moved the rig to each hole and drilled routinely and always less than 30 days. Plus he says his whole process is continuous and never stopped or stops. He also could not define what drilling was. It was too complicated and included too many things, not to mention upstream, midstream and downstream. We never attempted to address that one in that hearing.

Doug indicated Mr. Dale had a service rig--not a drilling rig--sitting there at least some of the time.

Plus Mr. Patterson insisted DEP's interpretation of 35-4-5.2.g and 5.2.j and 22-6-30 were flat out wrong or irrelevant. We never made it beyond a discussion of those points. In other words the judge never made any comments or rulings on them.

Another area that I found puzzling that had some discussion regarding the injunction was harm to DD Oil vs harm to the State. The injunction is costing him (Hugh Dale) money and not allowing him to complete his wells. He supports six families with paychecks and he provides natural gas to local small communities that in some cases would not have gas to keep people warm in the winter.

On the other hand, what is the harm to the state if Mr. Dale does not have a permit? This was a George Patterson argument that I could not see getting any traction whatsoever, but I could be wrong.

I think we could argue a number of people had to find other jobs in the past year because permit fees were down. If a permit is not needed neither is the Office of Oil and Gas.

Thoughts?

Mr. Dale testified that he does not discharge salt water, has never had a permit block and never been to court. He always gets the permits he needs and follows them precisely. Permits are good for 24 months period. He has never had any trouble from the State or from a land owner, including the Kenslers.

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J. Scott Rodeheaver
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